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*Counsel for Genia Technologies, Inc.
and Roger Jinteh Arrigo Chen*

**UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN FRANCISCO DIVISION**

THE REGENTS OF THE UNIVERSITY OF
CALIFORNIA, a California corporation,

Plaintiff,

vs.

ROGER JINTEH ARRIGO CHEN, an
individual; GENIA TECHNOLOGIES, INC.,
a Delaware corporation; and DOES 1-25,

Defendants.

Case No. 3:16-cv-7396-EMC

**JOINT STIPULATION AND
[PROPOSED] ORDER TO MODIFY
DEADLINES** (modified)

1 Plaintiff Regents of the University of California's ("Plaintiff") and Defendants Roger
2 Jinteh Arrigo Chen ("Chen") and Genia Technologies, Inc. ("Genia") and, together with Chen,
3 "Defendants") (collectively, Plaintiff and Defendants are referred to as the "Parties"), have met-
4 and-conferred and jointly stipulate and request as follows:

5 WHEREAS, following a mediation held on May 1, 2018, the Parties have entered into an
6 agreement in principle to settle this case, and the Parties require additional time to finalize a
7 definitive settlement agreement so that the case may be dismissed in its entirety following the
8 execution of that definitive agreement.

9 WHEREAS, the Court has previously entered stipulations order extending deadlines to
10 allow the parties to finalize the settlement agreement (Docs. 95, 98), and the parties now require
11 additional time.

12 WHEREAS, the Parties have agreed to suspend further discovery activity and deadlines
13 until July 30, 2018 (including any deadlines for briefing relating to any motions pending before
14 the Court) while the Parties finalize the definitive agreement.

15 WHEREAS, the Parties are working diligently to finalize the definitive agreement and
16 anticipate doing so within the coming two weeks.

17 WHEREAS, in accordance with their agreed suspension of discovery activity and
18 deadlines, the Parties respectfully request the following modifications of additional deadlines set
19 by the Court:

- 20 1. The Court has set a Status Conference in this case for July 19, 2018 (Doc. 98). In
21 order to allow the Parties time to finalize their settlement, the Parties hereby agree
22 and request that the Court re-set this Status Conference for August 9, 2018, as noted in
23 the Proposed Order attached hereto, or for an alternate date in early August 2018
24 convenient for the Court.
- 25 2. In its June 5, 2018 order (Doc. 98), the Court re-set the hearing on Defendants'
26 Motion to Join Oxford Nanopore Technologies, Inc. (Doc. 87) ("Defendants'
27 Motion") to September 6, 2018, and the deadlines for the Parties to file their response and
28

1 reply in connection with this motion to July 20, 2018 and August 3, 2018, respectively.

2 In order to allow the Parties time to finalize their settlement, the Parties hereby agree and
3 request that, as noted in the Proposed Order attached hereto: the time for Plaintiff
4 to file its Response to Defendants' Motion be extended to and including, August 10,
5 2018; the time for Defendants to file their reply in support of Defendants' Motion be
6 extended to and including August 24, 2018; and the hearing on Defendants' Motion be
7 re-set for September 13, 2018.

8 3. In its June 5, 2018 order (Doc. 98), the Court set a deadline of July 11, 2018 for
9 Defendants to file revised documents pursuant to Local Rule 79-5(f) in accordance with
10 the Court's April 27, 2018 order (Doc. 94). In order to allow the Parties additional time
11 to finalize their settlement, the Parties hereby agree and request that the time for
12 Defendants to file these revised documents pursuant to Local Rule 79-5(f) be extended to
13 and including July 25, 2018, as noted in the Proposed Order attached hereto.

14 4. In its April 3, 2018 (Doc. 85) order modifying trial deadlines, the Court set the following
15 deadlines:

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| 16 | a. Dispositive Motions: | Last day to be <i>heard</i> 11/18/2018 at 1:30pm; |
| 17 | b. Non-Expert Discovery Cut-Off: | 7/2/2018; |
| 18 | c. Opening Expert Reports: | 8/16/2018; |
| 19 | d. Rebuttal Expert Reports: | 9/6/2018; |
| 20 | e. Expert Discovery Cut-Off: | 9/27/2018; |

21 In order to permit the parties to finalize their settlement agreement, the parties
22 respectfully request that the Court extend those deadlines as follows:

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| 23 | a. Dispositive Motions: | Last day to be <i>heard</i> 11/ 25 /2018 at 1:30pm; |
| 24 | b. Non-Expert Discovery Cut-Off: | 7/30/2018; |
| 25 | c. Opening Expert Reports: | 8/30/2018; |
| 26 | d. Rebuttal Expert Reports: | 9/20/2018; |
| 27 | e. Expert Discovery Cut-Off: | 10/4/2018; |

WHEREAS, the Parties have met and conferred and agree that there is good cause for these stipulated modifications, and that this stipulation is not made for purposes of delay, but rather so that the Parties can finalize the settlement of this case, which they are working diligently to do. Thus, the Parties respectfully request that the Court sign the Proposed Order attached hereto.

SO STIPULATED

DATE: July 1, 2018

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/s/ Robert B. Gunther
Robert B. Gunther

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/s/ Robert B. Gunther
Robert B. Gunther

~~PROPOSED~~ ORDER

IT IS SO ORDERED that the foregoing Joint Stipulation is approved.

The Court HEREBY ORDERS as follows:

1. The Status Conference in this case for July 19, 2018 is hereby vacated and reset for August 9, 2018.
2. The deadline for Plaintiff to file its response to Defendants' Motion to Joint Oxford Nanopore Technologies, Inc. (Doc. 87) shall be extended to and including August 10, 2018, and the deadline for Defendants to file any reply for that Motion shall be extended to August 24, 2018.
3. Defendants' Motion to Join Oxford Nanopore Technologies, Inc. shall be set for hearing on September 13, 2018.
4. The deadline for Defendants to file revised documents pursuant to Local Rule 79-5(f) in accordance with the Court's April 27, 2018 order (Doc. 94) shall be extended to and including July 25, 2018.
5. The following modified deadlines are hereby ordered, replacing the previously-ordered dates for these deadlines:

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|----------------------------------|---|
| a. Dispositive Motions: | Last day to be <i>heard</i> 11/25/2018 at 1:30pm; |
| b. Non-Expert Discovery Cut-Off: | 7/30/2018; |
| c. Opening Expert Reports: | 8/30/2018; |
| d. Rebuttal Expert Reports: | 9/20/2018; |
| e. Expert Discovery Cut-Off: | 10/4/2018; |

Dated: 7/3/2018

Edward M. Chen
United States District Judge

